

Message Text

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DRAFTED BY NEA/IRN:JRODES:ML

APPROVED BY NEA/IRN - CHARLES W. NAAS

L/NEA - MR. NELSON

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FM SECSTATE WASHDC

TO AMEMBASSY TEHRAN

C O N F I D E N T I A L STATE 252441

E.O. 11652: GDS

TAGS: MILI, IR

SUBJECT: GOI PROPOSAL FOR AGREEMENT ON HANDLING MILITARY
DESERTERS

1. COUNSELOR OF IRANIAN EMBASSY SHIRAZI HAS INFORMED IRAN
DESK THAT HE HAS BEEN INSTRUCTED BY HIS GOVERNMENT TO SEEK
AGREEMENT OR TREATY WITH U.S. WHICH WOULD FACILITATE RETURN
OF MILITARY DESERTERS TO IRAN. SHIRAZI SPOKE OF "AN
EXTRADITION TREATY", BUT ALSO MENTIONED "THE TYPE OF FORCES
AGREEMENT THE U.S. HAS WITH TURKEY" (PRESUMABLY, THE NATO
STATUS OF FORCES AGREEMENT).

2. FROM VERY PRELIMINARY STUDY DONE BY DEPARTMENT LAWYER,
IT WOULD APPEAR THAT EXTRADITION TREATIES DO NOT COVER
MILITARY DESERTERS. STATUS OF FORCES AGREEMENTS DO DEAL
WITH DESERTERS, BUT IT NOT CLEAR IF SOFA ARRIVED AT BY
EXECUTIVE AGREEMENT WOULD ALLOW FORCIBLE RETURN OF DESERTER
UNDER U.S. LAW. NATO SOFA DOES ALLOW SUCH RETURN OF
DESERTERS, BUT THAT SOFA IS A TREATY, APPROVED BY THE
SENATE, NOT AN EXECUTIVE AGREEMENT.

3. AFTER FURTHER STUDY OF SUBJECT, WE HOPE TO HAVE MEETING
WITH IRANIAN EMBASSY OFFICIALS (NOVEMBER 22 AT THE
EARLIEST). WOULD APPRECIATE ANY INFORMATION YOU MAY HAVE ON
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GOI'S INTENTIONS IN THIS MATTER AND WOULD ALSO LIKE TO HAVE

EMBASSY'S VIEWS ON QUESTION OF SOFA. KISSINGER

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